

### **REMARKS**

The Office Action of June 23, 2009, has been reviewed and these remarks are responsive thereto. Claims 20-22 were canceled previously. Claims 1, 8, 9, and 12 have been canceled in the present paper. Claims 56 and 57 have been added in the present paper. No new matter has been added. Claims 2-7, 10, 11, 13-19 and 23-57 are pending upon entry of the present paper. Reconsideration and allowance of the instant application are respectfully requested.

#### **Claim Rejections Under 35 U.S.C. § 103**

Claims 2-5 and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. pat. no. 5,600,573 to Hendricks et al. ("Hendricks"), in view of U.S. pat. no. 5,956,716 to Kenner et al. ("Kenner"), U.S. pat. no. 5,806,061 to Chaudhuri et al. ("Chaudhuri"), and U.S. pub. no. 2001/0039546 to Moore et al. ("Moore"). Claims 6, 7, 10, 14-19, and 23-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendricks, Kenner, Chaudhuri, and Moore, and further in view of U.S. pub. no. 2002/0038308 to Cappi ("Cappi"). Claims 11 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendricks, Kenner, Chaudhuri, Moore, and Cappi, and further in view of U.S. pat. no. 6,772,150 to Whitman et al. ("Whitman") and U.S. pat. no. 6,839,705 to Grooters ("Grooters"). Claims 33, 39-44, 46, 47, 54, and 55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenner in view of Chaudhuri and Moore. Claims 34-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenner, Chaudhuri, and Moore, and further in view of Whitman. Claims 37 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenner, Chaudhuri, Moore, and Whitman, and further in view of U.S. pat. no. 6,243,713 to Nelson et al. ("Nelson"). Claims 45 and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenner, Chaudhuri, and Moore, and further in view of Grooters. Claim 49 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenner, Chaudhuri, and Moore, and further in view of Nelson. Claims 50, 51, and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenner in view of U.S. pat.

no. 5,855,020 to Kirsch (“Kirsch”), Chaudhuri, and Moore. Claim 52 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenner, Kirsch, Chaudhuri, and Moore, and further in view of Nelson. These rejections are traversed below.

Amended independent claim 33 recites, among other features, “determining that the program content search request does not yield a matching result with respect to the local content database and the one or more remote content databases; maintaining a list of a plurality of active searches based on the program content search request responsive to determining that the program content search request does not yield a matching result with respect to the local content database and the one or more remote content databases.” Illustrative, non-limiting written description support for the amended features may be found in the filed specification when read as a whole, and for example, at page 29, line 21 – page 30, line 2.

None of the applied references, alone or in combination, teaches or suggests the above-noted features recited in amended claim 33. For example, Moore at paragraph [0035] merely describes a web browser plug-in 110 that enables automatic services while browsing, and that such services include an auto-search feature that “follows along” as a user manually searches the web. Such a description in Moore does not teach or suggest maintaining a list of a plurality of active searches based on a program content search request, much less doing so responsive to determining that the program content search request does not yield a matching result with respect to a local content database and one or more remote content databases as recited in claim 33. Furthermore, there would not have been an apparent reason to modify Moore to include maintaining a list of a plurality of active searches based on a program content search request because in Moore the auto-search feature is based on a single, ongoing search. Thus, claim 33 is allowable over Moore for at least the foregoing reasons.

Moreover, claim 33 recites “acquiring one or more of the one or more identified programs from one or more of the local content database and the remote databases responsive to a content change made to at least one of the local content database and the one or more remote content databases, the content change matching at least one of the active searches.” Moore also fails to teach or suggest such features. Specifically, Moore

at paragraph [0035] describes that the auto-search feature performs additional searches and displays (other) suggested links that might lead to desired information. Such a description fails to teach or suggest acquiring one or more programs from one or more of a local content database and remote databases responsive to a content change made to at least one of the local content database and the one or more remote content databases, much less that the content change matches at least one active search as recited in claim 33. As such, claim 33 is allowable over Moore for at least these additional reasons.

Kenner and Chaudhuri fail to remedy the deficiencies of Moore described above with respect to amended claim 33. Thus, notwithstanding whether any combination of Kenner, Chaudhuri, and Moore is proper, such a combination fails to result in the features of claim 33. As such, claim 33 is allowable for at least the foregoing reasons.

Amended independent claims 50 and 54 recite features similar to those described above with respect to claim 33. As such, claims 50 and 54 are allowable for at least reasons substantially similar to those discussed above with respect to claim 33 because Kirsch fails to remedy the deficiencies of Kenner, Chaudhuri, and Moore described above with respect to claim 33 (notwithstanding whether any combination of the references is proper).

The dependent claims are allowable for at least the same reasons as their respective base claims because any of the additional references of record (e.g., Hendricks, Cappi, Whitman, Grooters, and Nelson) fail to remedy the deficiencies of Kenner, Chaudhuri, Moore, and Kirsch described above (notwithstanding whether any combination of the references is proper).

For example, amended claim 6 (which depends from independent claim 56, discussed below) recites, among other features, “a request receiver and router configured to retrieve administrative data related to a user and route the retrieved administrative data to a terminal associated with the user.” None of the references (alone or in combination) teach or suggest the above-noted features recited in claim 6.

The Office Action at pages 11-12 cites to Hendricks at col. 13, lines 34-41 and Fig. 4, and contends that the output equipment control 416 described therein may appropriately be analogized to a request receiver and router. Even assuming (without

admitting) that such an analogy was proper prior to the entry of the present paper, amended claim 6 recites that the request receiver and router is configured to retrieve administrative data related to a user and route the retrieved administrative data to a terminal associated with the user. Hendricks fails to teach or suggest such features. Instead, in Hendricks, output equipment control 416 (which is included in system controller 312, which in turn is included in operations center 202) communicates configuration and program control information to output equipment 320. *See* Hendricks at col. 12, line 32; col. 13, lines 34-41; and Figures 2 and 4. Notably, in Hendricks, output equipment 320 is also included in operations center 202, and the outputs of operations center 202 are communicatively coupled to cable headends 208. *See* Hendricks at col. 10, lines 24-38 and Figures 1-2. Hendricks fails to teach or suggest cable headends 208 conveying that same configuration and program control information to terminals 220. Accordingly, Hendricks fails to teach or suggest a request receiver and router that is configured to retrieve administrative data related to a user and route the retrieved administrative data to a terminal associated with the user as recited in claim 6. Thus, claim 6 is allowable over Hendricks for at least these additional reasons.

None of the additional references of record, alone or in combination, remedy the deficiencies of Hendricks discussed above with respect to claim 6 (notwithstanding whether any such combination of references is proper). As such, claim 6 is further allowable for at least the foregoing reasons.

#### **New Claim(s)**

Independent claim 56 has been added in the present paper. Independent claim 56 recites features similar to those recited in (now-canceled) claim 1, and (amended) claim 33. Claim 56 is allowable for at least reasons similar to those discussed above with respect to claim 33.

Claims 57 has been added in the present paper. Illustrative, non-limiting written description support for claim 57 may be found in the filed specification when read as a whole, and for example, at page 35, lines 11-27.

Claim 57 is allowable for at least the same reasons as claim 56 from which it depends, and further in view of the additional features recited therein.

**CONCLUSION**

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account 19-0733 in the appropriate amount.

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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